

## United States District Court

State and DISTRICT OF New Mexico

UNITED STATES OF AMERICA

v.

## CRIMINAL COMPLAINT

Daniel Troglia

Ernest

GBC

(Name and Address of Defendant)

CASE NUMBER:

09-2456 MJ

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 8, 2009 in Socorro, Sierra, and Dona Ana county, in the

State and District of New Mexico defendant(s) did, (Track Statutory

**knowingly and intentionally persuade, induce, entice, or coerce a minor to engage in sexual activity changeable as a criminal offense; knowingly and intentionally attempt to transport a minor to engage in criminal sexual activity; and, travel in interstate commerce with intent to engage in illicit sexual conduct**

in violation of Title 18 United States Code, Section(s) 2422(b) & 2423(a), (b).

I further state that I am a(n) Special Agent Official Title and that this complaint is based on the following facts:

See Attached Affidavit attached and hereby incorporated by reference as if fully restated herein.

Continued on the attached sheet and made a part hereof:

Yes  No

John M. D'Antonio  
Signature of Complainant

Ida M. D'Antonio  
Special Agent  
Federal Bureau of Investigation

Date

**GREGORY B. WORMUTH**  
U.S. MAGISTRATE JUDGE

Name & Title of Judicial Officer

at

City and State

Signature of Judicial Officer

1

2 IN THE DISTRICT OF THE UNITED STATES

3 FOR THE DISTRICT OF NEW MEXICO

4 United States of America )  
5 vs. )  
6 Daniel Troglia )  
7 \_\_\_\_\_ )  
No.

8 AFFIDAVIT

9

10 I, Ida M. D'Antonio, being first duly sworn, hereby  
11 depose and state as follows:

12 1. This matter concerns an investigation into a  
13 subject who enticed a minor via the Internet transporting a  
14 minor in interstate commerce with the intent that the minor  
15 engage in sexual activity which any person can be charged  
16 with a criminal offense, and traveled in interstate commerce,  
17 to engage in such sexual activity with a minor. This  
18 affidavit is made in support of a criminal complaint, because  
19 probable cause exists to charge Daniel Troglia with  
20 violations of Title 18, United States Code (U.S.C.), Section  
21 2422(b), whoever, using any facility or means of interstate  
22 commerce, knowingly entices any individual who has not  
23 attained the age of 18 years, to engage in any sexual  
24 activity, for which any person can be charged with a criminal  
25 offense, Title 18, U.S.C. 2423(a), a person who knowingly  
26 transports an individual who has not attained the age of 18  
years in interstate commerce, with intent that the individual  
engage in any sexual activity, for which any person can be  
charged with a criminal offense, and Title 18, U.S.C.  
2423(b), a person who travels in interstate commerce for the  
purpose of engaging in any illicit sexual conduct with  
another person.

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1                   2. I am a Special Agent (SA) of the Federal Bureau  
2 of Investigation (FBI) currently assigned to the Albuquerque  
3 Division, Las Cruces Resident Agency (LCRA), and have been  
4 employed by the FBI for approximately twelve and a half  
5 years. As a Special Agent of the FBI, I am authorized to  
6 investigate crimes involving the sexual exploitation of  
7 children including violations of Title 18, United States  
8 Code, Sections 2422 and 2423. My training includes attending  
9 numerous Crimes Against Children Seminars. I have  
10 investigated approximately 31 cases involving the sexual  
11 exploitation of children.  
12

13                   3. All the facts set forth in this Affidavit are  
14 personally known to me or have been made known to me by other  
15 sworn law enforcement officers.  
16

17                   4. On September 8, 2009, at approximately 1:00  
18 p.m., Daniel Troglia and Jane Doe, herein referred to as  
19 subject and victim, respectively, were traveling west on  
20 Interstate 10 in subject's 2001 Dodge Durango pick up truck  
21 bearing Arizona (AZ) license plate 531WWV. When subject  
22 approached the United States Border Patrol (USBP) Checkpoint,  
23 located 20 miles west of Las Cruces, NM, subject was  
questioned by Border Patrol Agents (BPAs). When BPAs  
questioned victim, subject would answer the questions for  
her. BPAs escorted victim inside the checkpoint, where she  
admitted she was 13 years of age and had met subject on the  
Internet. She admitted she was running away from home. BPAs  
contacted New Mexico State Police (NMSP) for further  
investigation.  
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25                   5. While subject was being questioned by  
26 Investigator Ricky Herrera, NMSP, the subject admitted that  
27 on September 8, 2009, he traveled from his residence in Mesa,  
28 AZ to Socorro, NM to meet victim and transport her to his  
residence in AZ. Subject advised that he met victim via the  
Internet approximately four months ago. He further admitted

1 that while en route back to AZ, subject fondled victim's  
2 breasts and vaginally penetrated victim with his fingers.  
3 NMSP contacted the FBI for assistance.

4                   6. SAs Larry L. Houpt and D'Antonio took custody of  
5 subject and transported him to the Las Cruces FBI office. He  
6 was read his Miranda Rights, understood them, and affixed his  
7 signature on the form, advising he would provide a statement.

8                   7. Subject advised that approximately four months  
9 ago, he met victim on the My Space website. According to  
10 subject, victim's My Space web page listed her age as 19.  
11 During the e-mail exchanges, the victim finally admitted to  
12 subject that she was 13 years of age. Subject advised he had  
13 already fallen in love with victim and could not cease  
14 contact with her, despite the fact that subject knew she was  
only 13.

15                  8. Subject purchased victim a cellular phone in AZ  
16 and mailed it to victim in Socorro, NM. The cell phones  
17 became their primary means of communication. Subject  
18 admitted that they were sexually attracted to one another,  
19 and therefore, engaged in a lot of "phone sex" conversations.  
20 While having phone sex, he would instruct victim to touch her  
21 breasts and her vagina. Subject advised that victim would  
ask him to masturbate while they conversed on the phone.

22                  9. Subject advised that he asked victim to send him  
23 nude photos of her breasts and vagina. Victim sent subject  
24 about seven nude photos of herself via her camera cellular  
25 phone. In turn, subject sent victim approximately seven nude  
26 photos of his penis via his camera cellular phone.

27                  10. According to subject, on September 7, 2009,  
28 victim contacted subject and asked him to pick her up in

1 Socorro, NM because she was fighting with her mother.  
2 Concerned for her safety, subject traveled from AZ to NM on  
3 September 8, 2009, to help victim. Once victim was in  
4 subject's vehicle, subject was "overwhelmed" by his sexual  
5 attraction to victim. Subject admitted that on three  
6 occasions, while en route back to AZ, he fondled victim's  
7 breasts and penetrated her vagina with his fingers. The  
above contacts occurred in Socorro County, Sierra County, and  
Dona Ana County, respectively.

8  
9 11. Subject advised that after he learned victim  
10 was 13 years old, but before he traveled to NM, he had asked  
11 victim to marry him and they talked about victim being the  
mother of his children. Subject advised that once he  
12 returned to his residence in AZ, he was wanting to engage in  
sexual activity with victim.

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15 12. Based on the above information, the Affiant  
16 believes that probable cause exists to charge Daniel Troglia  
17 with violations of Title 18, United States Code, Section  
2422(b), whoever, using any facility or means of interstate  
commerce, knowingly entices any individual who has not  
18 attained the age of 18 years, to engage in any sexual  
activity, for which any person can be charged with a criminal  
offense, Title 18, U.S.C. 2423(a), a person who knowingly  
transports an individual who has not attained the age of 18  
19 years in interstate commerce, with intent that the individual  
20 engage in any sexual activity, for which any person can be  
21 charged with a criminal offense, and Title 18, U.S.C.  
22 2423(b), a person who travels in interstate commerce for the  
23 purpose of engaging in any illicit sexual conduct with  
24 another person.  
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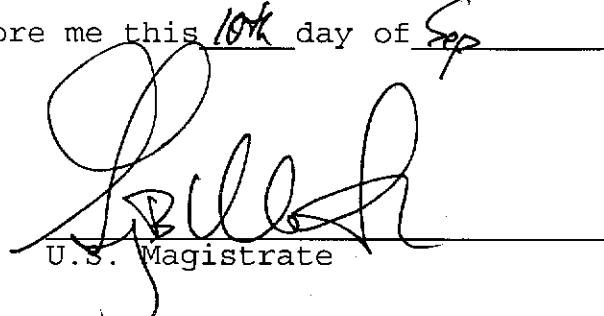
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4 Ida M. D'Antonio  
5 Ida M. D'Antonio  
6 Special Agent  
7 Federal Bureau of Investigation  
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9 Subscribed and sworn to before me this 10th day of Sep,  
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U.S. Magistrate